

DEPARTMENT OF ENVIRONMENTAL QUALITY
Environmental Assessment

Permitting and Compliance Division
Water Protection Bureau

Name of Project: Homestake Meadows Phase II Subdivision

Type of Project: Discharge residential strength wastewater to a subsurface drainfield under the Montana Ground Water Pollution Control System permit program.

Location of Project: The site is situated in T02N, R07W, in the southeast ¼ Section 15, or N 45° 55' 06" latitude and W 112° 26' 59" longitude.

City/Town: Butte

County: Silver Bow

Description of Project: (Summary of Proposed Action):

The permit application was submitted by Ueland Land Development, L.L.C. This is a new permit for a privately owned subsurface wastewater treatment system for the Homestake Meadows Phase II Subdivision (HMPS) located near Butte, MT. Application materials reported a maximum daily design flow of 23,800 gallons per day from 60 dwelling units. The wastewater treatment system will have the capacity to discharge a daily maximum of 23,800 gpd (design capacity) to the groundwater.

The proposed wastewater treatment facility will discharge via a 4 zoned drainfield, outfalls 001A, 001B, 001C and 001D. Outfalls 001A, 001B, 001C and 001D are located in T02N, R07W, in the southeast ¼ of Section 15, or N 45°15' 06" latitude and W 112° 26' 59" longitude.

Agency Action and Applicable Regulations: The proposed action is to issue an individual MGWPCS discharge permit to a residential strength wastewater treatment operation and specify effluent limitations, monitoring and discharge reporting requirements. The Montana Water Quality Act 75-5-101 *et seq.* Montana Ground Water Pollution Control System Administrative Rules of Montana (ARM) 17.30.10 *et seq.* and Montana Pollutant Discharge Elimination System ARM 17.30.12 *et*

Summary of Issues: The purpose of this action is to regulate the discharges of pollutants to state waters from the regulated facility. Issuance of an individual permit will require the facility to implement design and management practices to prevent pollution and degradation of groundwater. The action will have benefits to water quality.

Affected Environment & Impacts of the Proposed Project:

Y = Impacts may occur (explain under Potential Impacts). *Include frequency, duration (long or short term), magnitude, and context for any significant impacts identified. Reference other permit analyses when appropriate (ex: statement of basis). Address significant impacts related to substantive issues and concerns. Identify reasonable feasible mitigation measures (before and after) where significant impacts cannot be avoided and note any irreversible or irretrievable impacts. Include background information on affected environment if necessary to discussion.*

N = Not present or No Impact will likely occur. *Use negative declarations where appropriate (wetlands, T&E, Cultural Resources).*

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are soils present which are fragile, erosive, susceptible to compaction, or unstable? Are there unusual or unstable geologic features? Are there special reclamation considerations?	[N] The Discharge will increase moisture in the vadose zone. Soil test pits in the area of the proposed discharge show a sandy loam to a sandy loam with scattered cobbles. The soil is underlain by fractured bedrock. Because of the fractured bedrock the department has denied a mixing zone
2. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?	[N] Department developed numeric effluent quality limits to ensure that the water quality standards will not be exceeded prior to discharge to ground water. With no mixing zone the discharge must meet the most stringent standards prior to final discharge.
3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[N] No significant air quality impacts are expected from the construction of the wastewater treatment system
4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?	[N]No significant impacts have been identified. As shown in the Natural Heritage Program document Dense-leaf Draba has been found north of this site and is listed as a sensitive species by the U.S. Bureau of Land Management. The drain fields and other disturbed areas are to be reseeded to control erosion and weeds.
5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?	[N]No significant impacts have been identified. The Natural Heritage Program document lists the Westslope Cutthroat Trout as a sensitive species by the U.S. Bureau of Land Management and listed as Threatened by the U.S Fish and Wildlife Service. The subdivision is of medium density and because of the land use should stabilize sediment and nutrient loading to the Little Blacktail Creek.
6. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?	[N] No significant impacts have been identified. The Natural Heritage Program identified Westslope Cutthroat Trout as a sensitive species by the U.S. Bureau of Land Management and listed as Threatened by the U.S Fish and Wildlife Service. The subdivision does not directly border the creek, is of medium density and (because of the land use) should stabilize sediment and nutrient loading to the Little Blacktail Creek.
7. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[N] No significant impacts have been identified. The Montana Historical Society found no cultural resource's previously recorded sites.
8. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?	[N] No significant impacts have been identified. The wastewater discharge system will be below grade and not visible to the public.
9. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project? Will new or upgraded powerline or other energy source be needed)	[N] Trough the wastewater permitting process fractured bedrock was discovered at 3' to 35'. The permittee was denied a mixing zone to mitigate water quality issues therefore no Significant impacts were identified.
10. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	[] No significant impacts were identified from the EA.

IMPACTS ON THE HUMAN ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
11. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] No significant impacts have been identified. There is some risk during construction on the infrastructure but most health and safety concerns are mitigated through the preliminary plat process.
12. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] The project will be taking some low quality agriculture land out of service but this will not cause significant impacts.
13. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.	[N] This project will increase construction jobs in the short term plus it will create one half time position as a wastewater operator
14. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[N] This project will in fact increase the tax base because the change in land use from agriculture to residential.
15. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?	[N] Any impacts caused by traffic and other services have been addressed and mitigate through the county preliminary platting process therefore no significant impacts were found from the EA.
16. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] There are no State, County, City, USFS, BLM or Tribal zoning or management plans in effect therefore no significant impacts were found during the EA
17. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	[N] No significant impacts to Quality of Recreational and Wilderness activities from the EA.
18. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[N] No significant impacts to Density and Distribution of the population and House. This is a major Subdivision so it will add housing to the market in the area
19. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] No significant impact to the Social Structures and Mores have been identified from the EA
20. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N] No significant impact to the Cultural Uniqueness and Diversity have been identified from the EA
21. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	[N] No significant impacts for Appropriate Social and Economic Circumstances have been identified from the EA
22(a). PRIVATE PROPERTY IMPACTS: Are we regulating the use of private property under a regulatory statute adopted pursuant to the police power of the state? (Property management, grants of financial assistance, and the exercise of the power of eminent domain are not within this category.) If not, no further analysis is required.	[N] No significant impacts for Private Property have been identified from the EA

IMPACTS ON THE HUMAN ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
22(b). PRIVATE PROPERTY IMPACTS: Is the agency proposing to deny the application or condition the approval in a way that restricts the use of the regulated person's private property? If not, no further analysis is required.	[]
22(c). PRIVATE PROPERTY IMPACTS: If the answer to 21(b) is affirmative, does the agency have legal discretion to impose or not impose the proposed restriction or discretion as to how the restriction will be imposed? If not, no further analysis is required. If so, the agency must determine if there are alternatives that would reduce, minimize or eliminate the restriction on the use of private property, and analyze such alternatives. The agency must disclose the potential costs of identified restrictions.	[]

23. Description of and Impacts of other Alternatives Considered:

- A. No Action: Under the 'No Action' alternative the Department would not issue an individual ground water discharge permit under the Montana Ground Water Pollution Control System administrative rules. The proposed action will have environmental benefits compared to leaving the facility unpermitted.
- B. Approval with modification: The Department has not identified any necessary modifications to grant approval.

24. **Summary of Magnitude and Significance of Potential Impacts:** Impacts were assessed with the assumption that the facility will comply with the terms and conditions of the permit. Violations of the permit could lead to significant adverse impacts to state waters. Violations of the permit are not an effect of the agency action, because the permit itself forbids such activities. However, the Department has taken steps to ensure that violations do not occur. The terms of the permit have been clarified and modified in response to comments from regulated parties, the public and other agencies. The Department provides assistance to applicants in understanding and implementing the requirements of the permit. The Department also conducts periodic inspections of permitted facilities, and identifies potential problems with design or management practices. If violations of the permit do occur, the Department will take appropriate action under the water quality act. Section 75-5-617, MCA. Enforcement sanctions for violations of the permit include injunctions, civil and administrative penalties, and cleanup orders.

25. **Cumulative Effects:** The issuance of this individual MGWPCS discharge permit would not have cumulative effects because the permit prohibits pollution and degradation of state waters.
26. **Preferred Action Alternative and Rationale:** The preferred action is to authorize Ueland Land Development L.L.C. under an individual MGWPCS Discharge Permit. This action is preferred because the permit program provides a regulatory mechanism for protecting and improving water quality by applying control technology to the source discharge of domestic wastes generated at the proposed subdivision.

Recommendation for Further Environmental Analysis:

☐ EIS ☐ More Detailed EA ☒ No Further Analysis

Rationale for Recommendation:

27. **Public Involvement:** This draft EA will be posted on the Department web page: <http://www.deq.state.mt.us/ea.asp>. For copies of the draft EA or to submit comments, write or call the Montana Department of Environmental Quality c/o Dianne Beaman, P.O. Box 200901, Helena MT 59620-0901, telephone (406) 444-3080. Comments will be received for 30-days after the date of the signature below.
28. **Persons and agencies consulted in the preparation of this analysis:**
Damon Murdo, Cultural Records Manager, Historical Preservation Society
Martin P. Miller, Natural Heritage Program
HKM Engineering
Montana Fish and Wildlife Web page, animal species information
Natural Resource Information System, Montana State Library

EA Checklist Prepared By:

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Date

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Date